

THOMPSON et al.
Serial No. 09/723,319

Remarks

Reconsideration and allowance of the subject patent application are respectfully requested.

Claims 1-3, 7-20, 22 and 25-46 were rejected under 35 U.S.C. Section 103(a) as allegedly being made "obvious" by O'Brien (U.S. Patent No. 6,587,831) in view of Mosely et al. (*Office 97: Professional Edition*). While not acquiescing in this rejection or in the characterizations made in the office action regarding the applied references, the independent claims have been amended to recite comparing a service level forecasted to be needed for different work activities and a service level corresponding to the workers that plan to engage in these different work activities as specified in the work plans, and permitting changes to the work activities specified in the work plans for one or more workers based on the comparing. The applied references do not disclose or suggest these features of the claims.

For example, O'Brien describes at col. 5, line 58 et seq.:

Based on the forecasted workload, the forecasting module generates optimal shift patterns 430 and optimal staffing requirements 440 which are tailored to meet and perhaps exceed the forecasted workload across all shifts in a given schedule period. Shift patterns include the start and end times of various shifts. Staffing requirements includes the number of employees required to work for each shift. The optimal shift patterns 430 and staffing requirements 440 are incorporated into the schedule requirements, and more particularly into the business parameters, and then processed by the processing unit 158 to generate a revised schedule 450. The revised schedule reflects the optimizations derived from the workload forecast based on the extrinsic data.

Consequently, while O'Brien describes changing shift start and end times and/or the number of employees per shift based on forecasted workload, there is no disclosure or suggestion of changing the previously-specified work activities of workers as claimed.

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Moseley et al. discloses a calendar that can be used to schedule appointments, tasks, meetings, etc. Moseley et al. does not remedy the deficiencies of O'Brien with respect to the claimed comparing and changing.

The National Finance Center documents are applied in connection with certain dependent claims. As previously discussed, the National Finance Center documents do not disclose or suggest specifying two or more different work activities during different time periods of the same workday. These documents likewise contain no disclosure or suggestion of the comparing and changing set forth in the claims.

The pending claims are believed to patentably distinguish over the applied documents and favorable office action is respectfully requested.

Respectfully submitted,

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